

PRISONER'S CIVIL RIGHTS COMPLAINT (Rev. 04/2021)

United States Courts
Southern District of Texas
FILED

AUG 14 2023

IN THE UNITED STATES DISTRICT COURT
FOR THE Southern DISTRICT OF TEXAS
Houston DIVISION

Nathan Ochsner, Clerk of Court

Valeria Elizabeth Rueda

Plaintiff's Name and ID Number

#02434027

1200 Baker St. Harris

Place of Confinement

County Jail

CASE NO. _____

(Clerk will assign the number)

Harris County Sheriff's office

Defendant's Name and Address

1200 Baker Street
Houston Texas 77002

Defendant's Name and Address

1307 Baker Street
Houston Texas 77002

Defendant's Name and Address

(DO NOT USE "ET AL.")

INSTRUCTIONS - READ CAREFULLY

NOTICE:

Your complaint is subject to dismissal unless it conforms to these instructions and this form.

1. To start an action you must file an original and one copy of your complaint with the court. You should keep a copy of the complaint for your own records.

2. Your complaint must be legibly handwritten, in ink, or typewritten. You, the plaintiff, must sign and declare under penalty of perjury that the facts are correct. If you need additional space, **DO NOT USE THE REVERSE SIDE OR BACK SIDE OF ANY PAGE.** ATTACH AN ADDITIONAL BLANK PAGE AND WRITE ON IT.

3. You must file a separate complaint for each claim you have unless the various claims are all related to the same incident or issue or are all against the same defendant, Rule 18, Federal Rules of Civil Procedure. Make a short and plain statement of your claim, Rule 8, Federal Rules of Civil Procedure.

4. When these forms are completed, mail the original and one copy to the clerk of the United States district court for the appropriate district of Texas in the division where one or more named defendants are located, or where the incident giving rise to your claim for relief occurred. If you are confined in the Texas Department of Criminal Justice, Correctional Institutions Division (TDCJ-CID), the list labeled as "VENUE LIST" is posted in your unit law library. It is a list of the Texas prison units indicating the appropriate district court, the division and an address list of the divisional clerks.

FILING FEE AND IN FORMA PAUPERIS (IFP)

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1. In order for your complaint to be filed, it must be accompanied by the statutory filing fee of \$350.00 plus an administrative fee of \$52.00 for a total fee of \$402.00.
2. If you do not have the necessary funds to pay the fee in full at this time, you may request permission to proceed *in forma pauperis*. In this event you must complete the application to proceed *in forma pauperis*, setting forth information to establish your inability to prepay the fees and costs or give security therefor. You must also include a current six-month history of your inmate trust account. If you are an inmate in TDCJ-CID, you can acquire the application to proceed *in forma pauperis* and the certificate of inmate trust account, also known as *in forma pauperis* data sheet, from the law library at your prison unit.
3. The Prison Litigation Reform Act of 1995 (PLRA) provides "...if a prisoner brings a civil action or files an appeal *in forma pauperis*, the prisoner shall be required to pay the full amount of a filing fee." See 28 U.S.C. § 1915. Thus, the court is required to assess and, when funds exist, collect, the entire filing fee or an initial partial filing fee and monthly installments until the entire amount of the filing fee has been paid by the prisoner. If you submit the application to proceed *in forma pauperis*, the court will apply 28 U.S.C. § 1915 and, if appropriate, assess and collect the entire filing fee or an initial partial filing fee, then monthly installments from your inmate trust account, until the entire \$350.00 statutory filing fee has been paid. (The \$52.00 administrative fee does not apply to cases proceeding *in forma pauperis*.)
4. If you intend to seek *in forma pauperis* status, do not send your complaint without an application to proceed *in forma pauperis* and the certificate of inmate trust account. Complete all essential paperwork before submitting it to the court.

CHANGE OF ADDRESS

It is your responsibility to inform the court of any change of address and its effective date. Such notice should be marked "NOTICE TO THE COURT OF CHANGE OF ADDRESS" and shall not include any motion for any other relief. Failure to file a NOTICE TO THE COURT OF CHANGE OF ADDRESS may result in the dismissal of your complaint pursuant to Rule 41(b), Federal Rules of Civil Procedure.

III. PREVIOUS LAWSUITS:

- A. Have you filed *any* other lawsuit in state or federal court relating to your imprisonment? YES ☒ NO
- B. If your answer to "A" is "yes," describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, giving the same information.)
 1. Approximate date of filing lawsuit: _____
 2. Parties to previous lawsuit:

Plaintiff(s) _____

Defendant(s) _____
 3. Court: (If federal, name the district; if state, name the county.) _____
 4. Cause number: _____
 5. Name of judge to whom case was assigned: _____
 6. Disposition: (Was the case dismissed, appealed, still pending?) _____
 7. Approximate date of disposition: _____

II. PLACE OF PRESENT CONFINEMENT: Harris County Sheriff's office

III. EXHAUSTION OF GRIEVANCE PROCEDURES:

Have you exhausted all steps of the institutional grievance procedure? ☒ YES ☐ NO

Attach a copy of your final step of the grievance procedure with the response supplied by the institution.

IV. PARTIES TO THIS SUIT:

A. Name and address of plaintiff:

Valeria Elizabeth Rueda
Harris County Jail 1200 Baker Street
Houston Texas 77002

B. Full name of each defendant, his official position, his place of employment, and his full mailing address.

Defendant #1: Harris County Sheriffs office
1200 Baker street Houston TX 77002

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Suing because there above the jail

Defendant #2: 1307 Baker street (staff) Annex
Houston Texas 77002

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Defendant #3: Sergeant Hutchinson and Classification
1307 Baker street (Annex)

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Discrimination against Nationality for female Frustee

Defendant #4: Stars and stripes / veteran
services

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

No female Veteran POD

Defendant #5: Jorge Gabbitto with HCC
Apple technology

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Sexual misconduct and sexual
Harassment

V. STATEMENT OF CLAIM:

State here in a short and plain statement the facts of your case, that is, what happened, where did it happen, when did it happen, and who was involved. Describe how each defendant is involved. You need not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach extra pages if necessary, but remember the complaint must be stated briefly and concisely. IF YOU VIOLATE THIS RULE, THE COURT MAY STRIKE YOUR COMPLAINT.

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At 1307 Baker street Ms Hutchinson and classification violated my civil rights by discriminating against my nationality by excluding me from being a trustee but picking other illegal migrants that do not need the earned extra credit off there sentence because there getting deported. Stars and Stripes has 2 pods for male veterans but not one for females in the entire Harris county Jail. It took 6 weeks to get correspondence HCC Jorge Grabitto was sexually inappropriate

VI. RELIEF:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

I would like injunctive relief, damage relief for punitive damages and monetary relief for mental anguish in the amount of \$15,000

VII. GENERAL BACKGROUND INFORMATION:

A. State, in complete form, all names you have ever used or been known by including any and all aliases.

Valeria Rueda

B. List all TDCJ-CID identification numbers you have ever been assigned and all other state or federal prison or FBI numbers ever assigned to you.

SNV# 02434027

VIII. SANCTIONS:

A. Have you been sanctioned by any court as a result of any lawsuit you have filed? YES ☒ NO

B. If your answer is "yes," give the following information for every lawsuit in which sanctions were imposed. (If more than one, use another piece of paper and answer the same questions.)

1. Court that imposed sanctions (if federal, give the district and division):

2. Case number:

3. Approximate date sanctions were imposed:

4. Have the sanctions been lifted or otherwise satisfied? YES ☒ NO

August 3
2023

* Attached paperwork

with a undocumented ~~resident~~
"Resident", inmate trustee that
took advantage of ~~her~~ favoritism
~~under~~ wearing tight pants up
her buttocks along with C.O
Atter that also wears extremely
tight pants. Another inmate
used facetime that I informed
C.O Alston and C.O Josiah-Brown
about and they saw the video.
And Did not think it was
inappropriate. It is on the
third computer from the left
as soon as you walk in the
classroom. Jorge Habitto
brought a taco for the
illegal classified inmate awaiting
deportation or ICE hold. That
wears her pants really tight
and made a video humping
his back on facetime that
I found extremely offensive
because I was in class to
learn and wanted it to be
taken seriously. They didnt
because shes not from this country

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and has no use for appl technology.

In the incident about discrimination on nationality.

I was thrown into holding for exercising my right to freedom of speech and

my right to grieve and be succumbed to violent retaliation from other inmates

be accused of being a racist.

When I am a Mexican-

American ~~I see~~ and served the United States being a Veteran.

Honorably Discharged. ~~Be~~ They

squandered ~~and~~ opportunities and wasted resources for the

American people putting undocumented

Inmates ahead of line, and

allowing them to make a mockery of the classes that are meant

for the American people to

better their lives. To be

put on display for sexual

misconduct and inappropriateness from inmates utilizing the services

that ~~they~~ can be used by an

American citizen / inmate for re-entry

Sergeant Barajas was throwing the outside hot dogs 1307 uses as rewards/~~and~~ bribes and threatened to take away those "privileges" not stated in the handbook and can endanger my life if not cooked properly. I feared for my safety because C.O. Alston C.O. Atter and C.O. Josiah are constantly threatening the "resident" with two trashbags were I got sent back to 1200 for exercising my right to grieve commissary for not allowing us to purchase items from the Dry Cart. Sergeant Vaquera said to write separate 1605 for each concern because there is no kiosk in 1307 and have to be scanned in. A few other inmates agreed to grieve commissary and had unledgeable writing, so I wrote them. The same way we would have someone else write them on the kiosk. They read each one and signed there own sn#

and signature. That did not go on peacefully. The guards, Ms. Neman ~~and~~ started to harass me about the grievance procedure and have not gotten receipt that they were even turned in or scanned. I got put into holding and received a lot of retaliation from inmates for following the procedure to grieve because they were losing their ~~bribe~~ bribes and gifts for not questioning the guards authority.

I got intestinal problems and had to be put on the diet tray after writing an ILO about rectal pain and it being embarrassing that Ms. Atter used as an example and violated my HIPPA rights not keeping my medical problems private. I don't want the guards knowing what is for medical to just know

Medical negligence / excessive force of an ^{am} doped

The OB GYN in Harris Health care here in Harris County Jail have a exam room with very Dim light to preferem our vaginal exams with a Metal Spectrum that The Doctor just showed in! The ^{spectrum} and lied and said he did not see the strings. When I went to CBJ hospital for a papsmeak 6 weeks later the Doctors saw the strings. I felt very violated and experienced bleeding for a week after that. Upon my initial appanment with the metal spectrum Doctor in Harris County Jail signed forms I couldnt even read. But have to in order to be seen by the Doctor. And when asked medical for a copy of the papers I signed they have not filled that request. I felt like the Doctor just poked me with his metal spectrum.

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said he did not see the strings (how could he the room is very dark) and sent me on my way without doing what I went in there to do. Because my IUD has turned 10 years old and is time to put in a new one. I perform my paps near at Michael E. DeBakey frequently and have never experienced such an unpleasant experience. It was disgusting and the doctor is very old in age and wears thick glasses with scratches all in the lens. I don't think he still has a valid license to practice.

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Emotional harm:

Verbally I was harassed which cause me emotional instability. The Sexual PREA acts forced on me, verbal sexual harassment, and LGBTQ+ geared jail programs and jail encouragement to be gay has made me emotionally and sexually confused as a heterosexual woman! The favoritism for gay inmates makes me emotionally confused as a discriminated against heterosexual woman. Even Recreation officers I grieved said to gay stud females "Don't get pregnant, stay strapped." When I went to LGBT hospital and also had a "Self" breast exam ^{by} the male OB/GYN doctor I felt ~~very violated and~~ ~~very~~ Very Violated. I am disgusted and felt uncomfortable so uncomfortable my skin crawled and felt flashbacks of being molested from my childhood by Dr. Shish and Dr. Gessner. I feel very violated and emotionally distressed. It is less stable than when I was at home in the free world. I was threatened and fear put in me by threats of harm from inmates and retaliating guards.

"I Swear under penalty of perjury that this is all true!"

Kelly Slayton SN# 03078865 4L2M(Pod)
Harris Co. Jail

1200 Baker St. Houston, TX 77002
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Thursday, 8/3/23

2023

I, Kelly Elaine Slayton, have an open Pending 1983 Prisoner civil Rights complaint regarding Officer P. Spells With the Harris County Sheriff's Office Jail. P. Spells has knowingly exhibited sexual misconduct towards me, retaliation, Violent acts of abuse of authority, and harassment. The pending case is with the United States District Court Case Number 4:23-CV-00363 Slayton V. Spells. I am a known victim of P. Spells and willingly, knowingly, without persuasion nor coaching swear under penalty of perjury that the foregoing is true to the best of my knowledge on the hereby date.

Kelly Elaine Slayton 08/03/2023

Kelly Elaine Slayton 08/03/2023
SP# 03078865 DOB: 06-13-1996
Harris County Sheriff's Office
1200 Baker St. Cell: 4L2-M
Houston, TX
77002-1206

Slayton K96@yahoo.com

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Explain how you have been personally harmed by this (jail) policy. Be as specific as possible.

I identify specifically any of the following harms:

The lack of policy and inmate handbook enforcement is how I've been personally harmed.

Mental harm:

Flashbacks, trauma, triggers like "Happy Birthday" song sung loud when they sung it to draw out jumpings, lingo and slang words that is accustomed to the institutionalization of Harris County Jail. Fears of many types, people phobias, food fears, nightmares/night terrors, trouble sleeping, Bipolar and PTSD new triggers and old triggers. Sleep talking and sleep walking. Self-doubt.

Physical Harm:

Head trauma, Seizures, back pains, migraines, neck pains long term and not present before; scarring of my skin, cuts and wound care, blood pressure and blood sugar issues, knee pains/popping daily, stolen commissary and loss, lice(x2), bug bites, skin wounds like staph / ~~MRSA~~ MRSA, Staph, infections I had to personally cut open and cut out the infection with a blade and it caused a scar on my arm, lack of glasses for an area medical.

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Medical Malpractice and abuse, COVID-19 preventable but passed to me.

Sexual harm:

PREA, I was raped by an inmate felicity "FeFe". She had herpes, I woke up drugged / drowsy from my psychiatric meds. with her mouth on my vagina and my shorts down. PREA people weren't here in this jail at the time, neither was a PREA hotline, or any means of giving relief. I could have contracted Herpes from her and was never tested! Officer Nguyen gave me his personal rubber glove, sprayed his cologne on it and told me to make a dildo and "work off" masturbate instead of him. I'm allergic to latex and a glove/jail dildo would've even more so hurt me down in my private parts sexually. I was verbally sexually harassed often and groped by other inmates in my buttocks. The groping and smacking on my buttocks caused bruising on my pale white skin. Inmate Homer bit my neck and left hickies as I was in line for medication. She gave me unwanted sexual physical contact and would even force her fingers in my vagina through the cages when I was asleep. OB GYN and Harris Health Sexual mis conduct, uncomfortable touching, bleeding & pains.

Attn: Internal Affairs

1307 Little Baker Annex does not have a kiosk.
I was there April 13, 2023 until about 2
Weeks ago. I placed medical requests and
the guards ~~harrassed~~ harrassed me, picking on me.
P-Spells, MS. Leman, MS. Porshing, MS. Howard,
Sergeant, Brajas, MS. Edmondson were the ones
who invaded my privacy and talked about my
medical rectal problems to other inmates and guards.
When I grieved them via I-60 Written Paper
requests they either threw them away, placed
me in a holding cell for punishment of grieving, or
verbally bullied me. I was retaliated against
for ~~exercising~~ exercising my right to grieve. This is
civil rights, ~~PREA~~ PREA violations, and HIPAA violations.
I am a veteran who is not getting veteran
services. And experienced sexual harassment
MS. SPELLS in the Apple Class.

~~And she~~ tried to get a male
identified female inmate to attack
me at the elevators on the 4th
floor, because she likes to straddle
the fence. And like a law abiding
And this was July 30th at
9:30 Am

Thursday, 10:30 Am
Signature August 3, 2023
D. D. D.

Valeria Elizabeth
Rurda
Valerie Elizabeth
Rurda
Signature

03078865

slater K96@yahoo.
com

Kelly

- A team did not see or ~~not~~ problem with a female resident humping his back on a video that I watched and he did also in class that swarmed me with traumatic memories that have flooded my mind and have put me in immanent danger. Being diagnosed with a pre-existing condition being molested as a child and military sexual trauma. The guards did not do anything and just kicked me out for not being scared of there gifts and bribes being taken away if I grieved.

C. Has any court ever warned or notified you that sanctions could be imposed? YES ☒ NO

D. If your answer is "yes," give the following information for every lawsuit in which a warning was issued. (If more than one, use another piece of paper and answer the same questions.)

1. Court that issued warning (if federal, give the district and division): _____

2. Case number: _____

3. Approximate date warning was issued: _____

Executed on:

8-3-2023
DATE

Valeria Elizabeth Ryeda
Valeria Ryeda
(Signature of Plaintiff)

PLAINTIFF'S DECLARATIONS

1. I declare under penalty of perjury all facts presented in this complaint and attachments thereto are true and correct.
2. I understand, if I am released or transferred, it is my responsibility to keep the court informed of my current mailing address and failure to do so may result in the dismissal of this lawsuit.
3. I understand I must exhaust all available administrative remedies prior to filing this lawsuit.
4. I understand I am prohibited from bringing an *in forma pauperis* lawsuit if I have brought three or more civil actions or appeals (from a judgment in a civil action) in a court of the United States while incarcerated or detained in any facility, which lawsuits were dismissed on the ground they were frivolous, malicious, or failed to state a claim upon which relief may be granted, unless I am under imminent danger of serious physical injury.
5. I understand even if I am allowed to proceed without prepayment of costs, I am responsible for the entire filing fee and costs assessed by the court, which shall be deducted in accordance with the law from my inmate trust account by my custodian until the filing fee is paid.

Signed this

3rd
(Day)

day of

August
(month)

, 20

23
(year)

Valeria Elizabeth Ryeda
Valeria Ryeda
(Signature of Plaintiff)

WARNING: Plaintiff is advised any false or deliberately misleading information provided in response to the above questions may result in the imposition of sanctions. The sanctions the court may impose include, but are not limited to, monetary sanctions and the dismissal of this action with prejudice.